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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,191	10/23/2000	Jay S. Walker	96-059X	2479

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EXAMINER

BACKER, FIRMIN

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/694,191

Applicant(s)

WALKER ET AL.

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15,18 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15,18 and 26-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

This is in response to an amendment file on November 7<sup>th</sup>, 2002 for letter for patent filed on October 23<sup>rd</sup>, 2000. claims 35 has been added. Claims 15, 18, and 26-35 are pending in the letter.

***Response to Arguments***

1. Applicant's arguments with respect to claims 15, 18 and 26-35 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15, 18 and 26-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Franklin et al (U.S. Patent No. 5,883,810).

4. As per claims 15, 18 and 35, Franklin et al teach an apparatus (*online commerce facilities, 20*), comprising a processing unit (*customer computer, 28*) an input device (*key board*) in communication with the processing unit, the input device operable to input a second account

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*(temporary transaction number)* identifier for use in place of a first account identifier *(permanent/credit card account number)* thereto *(see abstract, fig 1-4, column 5 lines 32-67, 6 line 50-60, 9 lines 5-62)*, a transmitting/receiving device *(i/o device)* in communication with the processing unit, the transmitting/receiving device operable to transmit the second account identifier for verification thereof and receive information regarding authorization of the second account identifier *(see fig 5, column 10 line 30-11 line 10)*; and an output device in communication with the processing unit, the output device operable to output the information regarding authorization of the second account identifier, wherein the second account identifier is a single-use account identifier specific to a transaction *(see column 11 line 11-12 line 20)*.

5. As per claim 26, Franklin et al teach a method wherein the second account identifier is transmitted to an issuer associated with the first account identifier *(see fig 5, column 10 line 30-11 line 10)*.

6. As per claim 27, Franklin et al teach a method wherein the processing unit is associated with a merchant *(see fig 1,2,3)*.

7. As per claim 28, Franklin et al teach a method wherein the second account identifier is received from a customer as a means of payment for the transaction *(see fig 5, column 10 line 30-11 line 10)*.

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8. As per claim 29, Franklin et al teach a method further comprising causing to be delivered to the customer, after receiving information regarding authorization of the transaction, at least one of at least one good and at least one service associated with the transaction (*see column 11 line 11-12 line 20*).

9. As per claim 30, Franklin et al teach a method wherein the transaction comprises a transaction conducted over at least one of the Internet and the telephone (*see fig 1,2,3*).

10. As per claim 31, Franklin et al teach a method wherein the customer is in a location that is remote from the processing unit (*see fig 1,2,3*).

11. As per claim 32, Franklin et al teach a method wherein the information regarding authorization includes an authorization code (*see fig 5, column 10 line 30-11 line 10*).

12. As per claim 33, Franklin et al teach a method wherein the processing unit is in communication with a central credit card processing system maintained by a credit card issuer (*see column 9 line 5-42*).

13. As per claim 34, Franklin et al teach a method wherein the second account identifier comprises a sixteen-digit identifier (*see fig 4, column 9 lines 5-42*).

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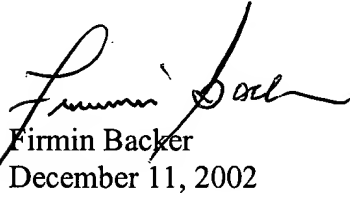
*Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

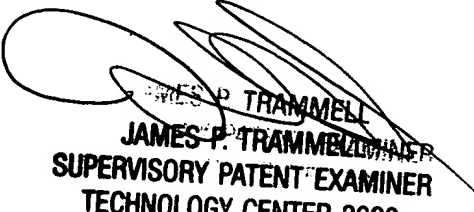
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Firmin Backer  
December 11, 2002



JAMES P. TRAMMELL  
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